

OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION

FORMAL COMPLAINT

Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, Illinois 62701

For Commission Use Only:  
Case: 03-0437

ORIGINAL

Regarding a complaint by (Person making the complaint): Derrick Ryan Bruhn  
Against (Utility name): Illinois Power  
As to (Reason for complaint) There five power poles located on the service location  
stated below that have no easement on record at county  
courthouse in Monticello, Illinois.  
in Monticello Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 2010 Appletree Drive Monticello, IL 61856  
The service address that I am complaining about is 1259 N. 350 East Rd Monticello, IL 61856  
My home telephone is [217] 762-8375  
Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [217] 762-2163  
(Full name of utility company) Illinois Power Company (respondent) is a public utility and is subject  
to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.

Administrative

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint?

Has your complaint filed with that office been closed?

ILLINOIS  
COMMERCE COMMISSION  
2003 JUL 14 A 9:04  
CHIEF CLERK'S OFFICE

☒ Yes ☐ No

☒ Yes ☐ No

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

1. There was a title search done on the property on 3-20-03 that showed no record of Illinois Power having any easement for the poles to be on the property.
  2. At this time I contacted Illinois Power and spoke with Daniel McCarthy. Daniel responded to my complaint by stating that the poles have been on the property since 1945 and the power company felt that they had the right to have them there. He said that in the days
- Please clearly state what you want the Commission to do in this case:

To move power poles and lines to a property line.

Date: 7-9-03  
(Month, day, year)

Complainant's Signature Daniel B. [Signature]

If an attorney will represent you, please give the attorney's name, address, and telephone number.

You need to file the original with the Commission. Also, provide one copy for each utility complained about (referred to as respondents).

#### VERIFICATION

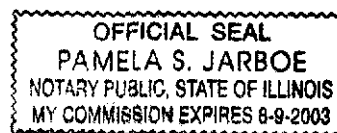
A notary public must witness the completion of this part of the form.

I, Daniel B. [Signature] Derrick Brown first being duly sworn, say that I have read the above petition and know what it says.  
The contents of this petition are true to the best of my knowledge.

(Signature) Daniel B. [Signature]

Subscribed and sworn/affirmed to before me on (month, day, year) 07-10-03

Pamela S. Jarboe  
Notary Public, Illinois



**NOTE:** Failure to answer all of the questions on this form may result in this form being returned without processing. If you have questions, please call the counselor in the Consumer Services Division that handled your informal complaint.

2. when the poles were placed on the property that the agreement was done with a handshake and no written easement was necessary. At this time he would be willing to give \$1,000 for a written easement
3. On 4-28-03 I contacted the Illinois Commerce Commission and filed an informal complaint. Illinois Power contacted me and asked what dollar value would be necessary to leave the poles in there current location. I responded to them with a figure of \$5,000. At this point I stopped the informal complaint because negotiation was taking place. Daniel McCarthy responded by offering \$3,500 to me for the inconvenience of having the poles located on the property. I refused the offer.
4. I contacted the Illinois Commerce Commission to file a formal complaint.